

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JANIS SPENCER MURRAY and
MAC MURRAY

Plaintiffs/Counter-Defendants,

vs.

Civ. No. 09-1150 WJ/RHS

BOB BURT, DARIAN BURT,
SELECT BREEDERS SOUTHWEST,
and SMART RANCHES,

Defendants/Counter-Claimants.

**ORDER GRANTING MOTION TO COMPEL DEFENDANT BOB BURT
TO PRODUCE DOCUMENTS AND DISCLOSE INFORMATION CONCERNING
THE MAJORITY MEMBER IN MISTY MOUNTAIN RANCH LLC**

THIS MATTER comes before the Court on Plaintiffs' Motion to Compel Defendant Bob Burt to Produce Documents and Disclose Information Concerning the Majority Member in Misty Mountain Ranch LLC [docket no. 135]. The Court has now considered the Motion together with Mr. Burt's Response thereto (docket no. 146) and Plaintiffs' Reply (docket no. 168) and hereby concludes that the Motion is well-taken and should be granted.

IT IS THEREFORE ORDERED THAT Plaintiffs' Motion to Compel Defendant Bob Burt to Produce Documents and Disclose Information Concerning the Majority Member in Misty Mountain Ranch LLC [docket no. 135] is hereby granted as follows:

1. On or before Monday, November 22, 2010, at 5:00 p.m. (MST) Mr. Burt is hereby ordered and directed to instruct his agent, Leon Hill, to provide the requested documents and information which are the subject of the instant motion to Mr. Burt and his attorney such that

production of these materials may be made to Plaintiffs and their attorney on or before Monday, November 29, 2010 at 5:00 p.m. (MST).

2. After receiving the above information from Defendant Burt, Plaintiffs shall be permitted to resume the deposition of Mr. Burt telephonically, long distance, for one hour to question Mr. Burt concerning the Largo Principals and his business relationship with Largo Associates as it pertains to the stallion *Dash Ta Fame*.

3. Plaintiffs are hereby granted the opportunity to depose the Largo Principals concerning Mr. Burt, *Dash Ta Fame*, Misty Mtn, Largo Associates and their knowledge of *Dash Ta Fame* and the agreements, relationships and arrangements between Plaintiffs and Defendants that are at issue in this case.

4. All of the foregoing depositions shall be completed on or before December 10, 2010, such that all parties may be prepared for the settlement conference presently set for December 13, 2010.

5. The Court reserves jurisdiction to assess attorneys fees and costs at a future date as may be appropriate.

Robert Hayes Scott
ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE